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6 AMERICAN HALLMARK
INSURANCE COMPANY OF TEXAS

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8 UNITED STATES DISTRICT COURT
9 DISTRICT OF HAWAII
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11 AMERICAN HALLMARK
12 INSURANCE COMPANY OF
TEXAS, a Texas corporation,

13 Plaintiff,

14 v.

15 MY THAI MAUI LLC; MATTHEW
16 WHITE; and MAYRIN
PORTAMA,

17 Defendants.
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No. 20-cv-00351-HG-KJM

JUDGMENT

19 IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

20 1. Judgment is hereby entered in favor of plaintiff American Hallmark
21 Insurance Company of Texas (“Hallmark”) and against defendants My Thai Maui
22 LLC, Matthew White and Mayrin Portama (collectively “defendants”).

23 2. Hallmark has no obligation whatsoever under Commercial Advantage
24 Policy No. 44-PB-000629086-00/00, effective February 28, 2020 to February 28,
25 2021, naming My Thai Maui LLC as insured (the “Policy”), for defendants’ claim
26 for losses and damages, including without limitation lost revenues, they claim to
27 have sustained as a result of the COVID-19 pandemic and governmental orders
28 related thereto. Specifically, there is no “direct physical loss of or damage to”

1 defendants' property. There is no coverage under the Policy because the losses and
2 damages claimed by defendants fail to satisfy the insuring agreements of the
3 Policy's Property Coverage, Business Income Coverage, Civil Authority Coverage,
4 and Extra Expense Coverage. Even if a Policy coverage grant were capable of
5 being satisfied, the Policy's Exclusion Of Loss Due To Virus Or Bacteria (Including
6 Food Contamination Business Income Exception) endorsement, Acts Or Decisions
7 Exclusion, Consequential Losses Exclusion, Governmental Action Exclusion,
8 Pollution Exclusion, and Business Income and Extra Expense Exclusion bar
9 coverage.

10 3. Each party to bear their own costs.

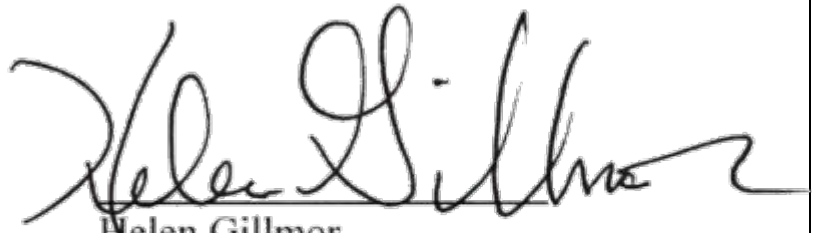
11 4. All case deadlines and other dates are vacated.

12 IT IS SO ORDERED.

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14 DATED: Honolulu, Hawaii, August 31, 2020.



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Helen Gillmor
United States District Judge

AMERICAN HALLMARK INSURANCE COMPANY OF TEXAS v. MY THAI
MAUI LLC; MATTHEW WHITE; and MAYRIN PORTAMA, 20-cv-00351-HG-
KJM; JUDGMENT